

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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AEGIS CAPITAL CORP., :  
Plaintiff, :  
-against- : 22-CV-5303 (VSB)  
JUPITER WELLNESS, INC., :  
Defendant. :  
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**ORDER**

VERNON S. BRODERICK, United States District Judge:

Plaintiff filed this action on June 23, 2022, (Doc. 1), and filed an affidavit of service on June 24, 2022, (Doc. 13). The deadline for Defendant to respond to Plaintiff's complaint was July 14, 2022. *See* Fed. R. Civ. P. 12(a)(1)(A). To date, Defendant has not responded to the complaint. Plaintiff, however, has taken no action to prosecute this case since I denied Plaintiff's motion for a preliminary injunction at a show cause hearing on June 28, 2022. Accordingly, if Plaintiff intends to seek a default judgment it is directed to do so in accordance with Rule 4(H) of my Individual Rules and Practices in Civil Cases by no later than July 25, 2022. If Plaintiff fails to do so or otherwise demonstrate that it intends to prosecute this litigation, I may dismiss this case for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

SO ORDERED.

Dated: July 18, 2022  
New York, New York

  
VERNON S. BRODERICK  
United States District Judge